

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 18-cr-20527  
Hon. Matthew F. Leitman

ALFRED EARL BRASWELL,

Defendant.

/

---

**ORDER DENYING MOTION FOR SENTENCE REDUCTION (ECF No. 26)**

Now before the Court is Defendant Alfred Braswell's Motion for Sentence Reduction under 18 U.S.C. 3682(c)(1)(A). In the motion, Braswell asks the Court to reduce his sentence based upon Amendment 821 to the United States Sentencing Guidelines. There are two parts to the Amendment – Parts A and B – and Braswell is not eligible for a reduction under either Part.

In Part A of the Amendment, the United States Sentencing Commission “decrease[d] ‘status points’ by one point for defendants with seven or more criminal history points and eliminate[d] ‘status points’ for defendants with six or fewer criminal history points.”<sup>1</sup> *United States v. Giles*, 2024 WL 465932, at \*1 (W.D.

---

<sup>1</sup> “‘Status points’ are those points that were applied under then United States Sentencing Guideline (U.S.S.G.) § 4A1.1(d) if the defendant committed his or her federal offense while on probation, parole, supervised release, imprisonment, work release, or escape status.” *Giles*, 2024 WL 465932, at \*1.

Mich. Jan. 8, 2024). The Sentencing Commission further declared that Amendment 821 applies retroactively. *See* U.S.S.G. § 1B1.10(e)(2). Braswell is not eligible for a reduction under Part A because he did not receive any status points at sentencing.

Part B of the Amendment offers relief to certain defendants who received zero criminal history points at sentencing. Braswell was assessed seven criminal history points at sentencing. Thus, he is not eligible for a reduction under Part B.

For these reasons, Braswell's motion is **DENIED**.

**IT IS SO ORDERED.**

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: March 15, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 15, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126